



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

## **Memorandum**

**Date:** June 21, 2016  
**To:** Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment  
**From:** Jillian Harris, Planning and Zoning Administrator  
**Subject:** **Kim Mattucci for Kid's Creative Cove Learning Center, LLC. (petitioner) and Windsup Properties I, LLC. (owner)** — Variance under Section 2.02.03 of the Zoning Ordinance to permit a childcare center in the C-2 District. The parcel is located at 22 Greeley Street in the C-2 (General) Commercial and Aquifer Conservation Districts. Tax Map 4D-4, Lot 060. Case # 2016-24.

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The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

### **Background:**

The subject property, 22 Greeley Street, is a commercially developed parcel abutting Thornton Graveyard to the West, residences and commercially developed properties to the North, the railroad corridor to the East, and commercially developed properties to the South. It was approved as professional offices in August 1983.

The applicant proposes to convert Unit 1A to a commercial childcare center. This parcel is located in the C-2 (General Commercial) District which does not include commercial childcare center as a permitted use; therefore the petitioner seeks a variance under Section 2.02.03 of the Zoning Ordinance to permit a childcare center in the C-2 District.

**Standard of Review:** It is the burden of the Petitioner to demonstrate that the five requirements for the granting of a Variance under Section 2.02.03 of the Zoning Ordinance to permit a childcare center in the C-2 District.

**Staff recommends that should the Board vote to grant the Variance that it be conditioned upon the following:**

1. Petitioner to obtain Planning Board or Administrative Approval for the commercial childcare use of the subject parcel, as deemed applicable.

cc: Correspondence & Zoning Board File  
ec: Kim Mattuci, petitioner/owner  
Building Department staff